

Masters and Servants on the Cape Eastern Frontier 1760–1803

Susan Newton-King



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1 A note on the narration of colonial beginnings

This is the story of an unhappy relationship. Its subject is the encounter between immigrant European stock-farmers and native hunters and pastoralists in the arid hinterland of the Cape of Good Hope in the second half of the eighteenth century. Despite the particularities of the characters and the setting, it is not an altogether new story, neither is it unique. Its principal characters – Europeans and natives (who, together with the land to which both laid claim, comprise what the literary critic Peter Hulme has called ‘the classic colonial triangle’)¹ – have appeared in countless narratives of European colonisation from the sixteenth century onwards, in settings as diverse as Quebec and Surinam, Virginia and Australia.

However, the qualities with which they have been endowed and the roles in which they have been cast have varied greatly, not only with the vantage point of the narrator and the sources at his or her disposal, but also, as recent scholarship has demonstrated, with the ‘discourse’ which the narrator has employed to construct or ‘configure’ colonial relationships. The study of colonial discourse (or, more correctly, discourses) is still a relatively new field, and much of the work done thus far has focused upon representations of Europe’s encounter with America, rather than its relations with Africa, but certain patterns are none the less beginning to emerge. It is clear, for example, that in the fifteenth and sixteenth centuries there was a fundamental difference between the language which Europeans used to describe their encounters with non-Christian regions of the Old World – the familiar world of Asia and North Africa – and that which they deployed in the understanding of the New World. In each case, it has been suggested, their discourse was structured around a central opposition – between Christians and non-Christians in the case of Asia and between civilisation and savagery in the case of America.² But these oppositions had different implications and were elaborated in very different ways. Thus while the Asian or ‘oriental’ discourse merely opposed one form of civilisation to another (antagonistic) form, the discourse of savagery opposed civilisation to its very antithesis: wildness – the condition of those living in

a state of nature, without law, religion, language or settled abode, that is, with none of the attributes of civilised man.

The discursive networks which grew up around these oppositions may have had some basis in an external reality, the first ('oriental discourse') being shaped by Europe's long history of commercial contact with the east and the second ('the discourse of savagery') by the early explorers' disappointment at finding (outside Mexico and Peru) no great states with crowded cities and overflowing treasuries. But each discourse contributed as much to the making of reality as to the description of it. For language is a way of seeing which structures perception, recasting the unfamiliar in the guise of the familiar; and perception in turn creates a framework for action.

In the case of the Cape, this was to have fateful consequences. Here the two discourses became intertwined, so that the indigenous inhabitants were perceived as simultaneously heathen and savage, their savagery denoted by the very names they were given: 'Bushmen' (men of the bush or the untamed wilderness) and 'Hottentots' (men so lacking in culture that their speech resembled the clucking of turkeys).³ These ways of seeing were not peculiar to the Dutch; indeed they ante-dated the establishment of the Dutch settlement at the Cape of Good Hope in 1652. But in the course of the eighteenth century, as an increasing number of settlers began to spread through the arid interior, provoking the native population to a deadly battle for survival, they took on new life, helping to define the enemy in terms which permitted the use of savage force against him and legitimating the construction of a colonial order based upon informal slavery.

Twentieth-century historians have long abandoned the discourse of civilisation and savagery. However, as many eminent critics have been at pains to remind them, they cannot escape the structures of discourse itself. It is not simply a matter of plot construction and narrative form, but also, as Hayden White has demonstrated, of the very encoding of the data (the evidence) out of which the narrative is constructed.⁴ The historian, as White observes, does not merely select and report his data as he finds them in the archives. In the very act of describing the data he subtly refashions them, encodes them, as it were, in such a way as to prepare the reader to receive his explanation of the relationship between them.⁵ This process of encoding involves the use of figurative language and operates mainly at an unconscious level (its methods, as White has shown, are those of poetry rather than logic) and it functions as a subtext (of which the author himself may be unaware), subliminally nudging the reader towards acceptance of the author's viewpoint. In sum, to paraphrase White, *what* the historian says about his topic cannot be distinguished from *how* he says it.⁶

These points may seem abstruse or needlessly technical, but I raise them

here in my introduction by way of a warning, or perhaps a disclaimer. For the historian of colonial beginnings bears a heavy responsibility. In choosing to investigate the origins of a colonial or post-colonial society, she enters a field which is fraught with anxiety. There is an analogy here (though one should not push it too far) between history and a therapeutic discipline like psychoanalysis. Just as the analyst obsessively replays the traumatic events of his past, so, in those societies born of European conquest, the heirs of both coloniser and colonised return again and again to the trauma which accompanied the birth of their nation. For the colonised this is the overwhelming trauma of usurpation, which has made them strangers in the land of their birth. For the colonisers it is more a question of nagging self-doubt; an awareness perhaps that their own sense of entitlement is sustained by the repression of other voices, other histories, whose claims may prove difficult to bear. For both, then, the investigation of colonial beginnings raises disturbing questions of identity.

However, whereas the analyst may be able to help her patient re-plot the events of his life in such a way as to free him from their terrifying power, the historian and her reader can seldom achieve a similar catharsis. For, quite apart from the obvious differences in the nature of their craft, the historian, as I have suggested above, is as much the prisoner of unconscious forces as is her reader. This is not so much a matter of her individual psychology (a subject which is still all but taboo in the work of professional historians), as of the discursive repressions inherent in the very practice of her discipline. For the job of the historian, unlike that of the analyst, is not to create a space in which the reader can explore all the possible meanings of the events under consideration; it is rather to close that space (after having given due consideration to the alternative interpretations of other historians), to give her narrative a meaning and an ending which displaces all the others. And this process of closure begins, as White has demonstrated, in the very act of describing the data, prior to their final presentation in narrative form. The act of reading then becomes, as J. M. Coetzee has put it, not a reading, but a following.⁷

And yet it need not be entirely so. For the documentary record is alive with other voices besides those which the historian may choose to emphasise. They push through the thicket of words to challenge the preconceptions of both writer and reader. If the historian will only step back and listen, these voices may assert their autonomy and contest the script that she has written for them. Viewed in this manner, the historian's text becomes less a seamless web than, to quote another recent exponent of the literary approach to history, 'a network of resistances'.⁸ It is in this spirit that I have written the narrative which follows. I have tried to strike a balance between my role as mediator of conflicting and contestatory

sources and my role as interpreter. If in the latter capacity I have exercised an overweening dominance and robbed the historical actors of their autonomy and their 'otherness', this has not been my intention. If, on the other hand, I have managed to create a space in which the reader herself can listen and respond to voices other than mine, then the effort will not have been in vain.

It must be acknowledged, however, that in the case of the Cape, the many voices of the colonised can be heard only through the medium of the coloniser's language and, more often than not, through the agency of his courts and his officials. Thus, while slaves and Khoisan servants quite often gave evidence in court against their masters and voiced their needs and grievances to local officials, they did so within a context created and closely controlled by the colonial power (the Dutch East India Company) and its local representatives, many of whom had close links with the settler community. When they spoke in their native tongue, their statements were transcribed only in translation, and when they voiced their opinions to the educated travellers who ventured into the interior of the country, the latter put their own construction upon what they heard. Even more frustrating for the researcher is the fact that the depositions of witnesses were recorded in the third person ('there appeared before me X who, at the request of the Landdrost of this Colony . . . declared that it is true that . . .') rather than in direct speech. Only when the case went to trial was a witness directly examined. And even there, as I shall explain below, there was usually no counsel for the defence and nothing approaching a modern cross-examination. Nevertheless, in the court record, which has been preserved in full, we do have a remarkable body of testimony given from the point of view of those Khoisan who were drawn into colonial society. We are able, through this testimony, however muted and constricted in the presence of a hostile audience, to discern something of the manner in which the Khoisan themselves perceived the circumstances of their lives under settler domination and something of the construction which they placed upon the events in question. When the evidence of the courts is taken together with the mute testimony of action (as reflected, for example in the field reports compiled by militiamen who hunted down robbers and runaways) we can claim to have recovered some part of their identity, their many ways of being in a world in flux. Finally, one can draw on the work of colleagues in the disciplines of archaeology and ethnography in an attempt to compensate for the limited vision of eighteenth-century observers.

The settler population is – predictably – much better served by the documentary record. The sources are enormously rich and diverse. There may be little personal correspondence and even fewer diaries, apart from those kept by foreign visitors to the Cape, but the huge volume of official

and semi-official documents partly compensates for this lack. These documents range from the elaborate and formal communications of the Dutch East India Company's senior employees at *De Kaap*,⁹ to the plainer prose of its representatives in the back country and the often unpunctuated and sometimes impudent notes despatched by their recalcitrant subjects. There is also an extraordinary wealth of material in the archives of the Orphan Chamber, which served as executor of intestate and insolvent estates until its role was assumed by the Master of the Supreme Court at the beginning of the nineteenth century. There are inventories and auction rolls which list each possession of the deceased and the surviving spouse; there are records of moneys borrowed, lent and inherited and of goods bought and sold, and there are fragments of private correspondence relevant to the winding up of deceased estates. These documents form the basis of my argument in chapter 8.

Then there are the records of the district courts, comprising a *Landdrost* (magistrate) appointed by the Company and four or six *Heemraden* (chosen from among the freeburgher population), and of the Court of Justice in Cape Town, to which I referred above. The district courts were empowered to try all civil cases involving sums smaller than 1,000 guilders,¹⁰ but their jurisdiction in criminal cases was limited to the holding of preparatory examinations and the conduct of inquests.¹¹ The papers were then sent up to the Cape, where the Independent Fiscal, in his capacity as public prosecutor, decided whether or not to try the case.¹²

A trial by the Cape Court of Justice, however, was not what the modern reader might suppose, for criminal procedure at the Cape in the eighteenth century was very different from the adversarial (or accusatorial) system with which we are familiar. There were, in effect, no written rules of court, apart from those laid down in two ordinances issued by Philip II of Spain in 1570.¹³ These ordinances had recognised two forms of criminal procedure: the 'ordinary' and the 'extraordinary' process.¹⁴ The majority of criminal cases at the Cape were tried under the extraordinary process which was inquisitorial rather than accusatorial in nature. The accused was not given the opportunity to challenge the evidence against him until he had undergone a preliminary examination, conducted in camera and based upon evidence collected in advance from unseen witnesses. He was normally under arrest when this examination was conducted and he had no right to remain silent. On the contrary, the court required him to 'co-operate' in the investigation since he could not be convicted without a confession, unless the evidence against him was conclusive.¹⁵ If when the preliminary examination was complete he persisted in his denial, he would be confronted with the evidence and permitted to question the witnesses. However the extraordinary process did not permit the employment of

counsel for the defence, and the questioning of the witnesses hardly amounted to cross-examination since the accused was not at any stage allowed access to their depositions. Moreover, if the judges were not satisfied with the responses of the accused, they could, provided there were sufficient grounds for believing him guilty, order that he be put to a 'sharper interrogation' – that is, tortured – so as to 'complete the proof'.¹⁶ There are many cases where torture was used to extract a confession.¹⁷ The judges were also not required to give reasons for their judgment; there was in fact no judgment, merely a sentence, which each member of the Council of Justice individually accepted or rejected.¹⁸

Given the secretive nature of these procedures, one must conclude that the evidence presented to the Court of Justice was not put to the test and evaluated in the modern sense. Consequently the record of a criminal trial often differs little from that compiled during the preparatory examination conducted by the Landdrost. The chief omission from the latter is the 'claim and demand' of the prosecutor, which usually took the form of a narrative account of the alleged crime, based upon the evidence collected from witnesses, interspersed with sententious utterances about the seriousness of the accused's transgressions and appropriate citations from legal texts. The prosecutor's opening statement could be very revealing of the *Weltanschauung* of the Company elite. However if one takes the view that it is impossible, given the secretive nature of the inquisitorial process, to discover 'what really happened', then the prosecutor's 'claim and demand', however influential, becomes just another 'contestatory voice' in the grim proceedings of a criminal trial. His argument might intimidate the accused and would in most cases decide his fate, but it could not erase his voice from history.

In sum, then, the historian of early colonial encounters in the Cape interior has a rich documentary record on which to draw. I have used nearly everything which could serve as raw material for the narrative constructed here, except the archives of the Dutch Reformed Church, which, until 1780, was the only Christian denomination allowed in the colony. In one sense, this is not a serious omission, since there was no church or minister on the eastern frontier until 1792, and hence there were no records pertaining to the region before that date. Even after 1792 the documentary record is scant. But it should not be inferred that the church as a whole had no influence over the inhabitants of the eastern frontier. Many of the colonists had been raised in Reformed households closer to the Cape and baptised and married in Stellenbosch, Swellendam or the *Land van Waveren* before they set up house in the depths of the Karoo. A few, like the children of church elders Dawid and Isaak van der Merwe of the Bokkeveld, could claim a more intimate childhood connection with the

Reformed religion.¹⁹ Certainly the Landdrost and Heemraden of the new district of Graaff Reinet wasted no time in sending a sick-comforter to assess the spiritual condition of the inhabitants and applying to the government for funds to build a church.²⁰ Thus, while church attendance must needs have been infrequent, confined primarily to baptisms and weddings,²¹ and many colonists never became full members of the church,²² there are, in my view, good grounds for believing that Reformed Christianity – or rather, a colonial variant thereof – had a considerable impact upon frontier relationships.

In particular, as Jonathan Gerstner has argued in an influential new study, the South African colonists seem to have evolved a heretical understanding of covenant theology according to which Christian status came to be seen as hereditary rather than acquired, so that children born to European parents (even to parents who were not themselves practising Christians) were either already saved, or else set apart for the receipt of grace in later life.²³ The children of the heathen, by contrast, were ‘alienated from God from birth’, and destined to remain that way, unless perchance they were offered access to church membership in later life, something which was strenuously opposed by most frontier colonists in the eighteenth century.²⁴ Although, as Gerstner observes, it is difficult to prove that individual colonists held these beliefs, there is adequate evidence that such beliefs formed part of the religious climate within which colonial relations unfolded. A full exploration of this religious climate lies beyond the scope of the present study, and indeed much of the work has already been done by Gerstner himself, but the reader should be aware that notions drawn from this context – a sense of ethnic calling, an identification with the Israel of old, and a theologically grounded contempt for people of ‘heathen’ origin – formed a sort of subtext to the discourse of frontiersmen and -women, especially in their dealings with the indigenous inhabitants of the Cape interior. This subtext will not be explicitly examined in the pages which follow, but the reader should be alert for its echo.

As for secondary sources, there are many which have helped to make this book. The scholarly study of Dutch South Africa has burgeoned in the last twenty years, adding to a number of pre-existing monographs concerned mainly with the expansion of the settlement and the functioning of colonial institutions and transforming our understanding of relations between slave and free, settler and indigene, in the first century and a half of colonial rule. Discussion of these sources is interspersed with the text which follows, but there are a handful which I would like to single out, because without them the present study would not have been possible.

Without Richard Elphick’s skilful analysis of the disintegration of

Khoekhoe communities in the south-west Cape, I would not have been able to situate the beginning of my own story in the mid-eighteenth-century Karoo, secure in the knowledge that my readers would probably be familiar with the processes which had already undermined the integrity of the Khoekhoe chiefdoms nearer to Cape Town and which were even then working their way through the social fabric of those located further to the north and east.²⁵ Similarly, Nigel Penn's work on the interaction between the Khoisan and colonial stock-farmers on the north-west frontiers of the colony has allowed me to write with some confidence of the immediate antecedents of the settlers who established themselves in the eastern Karoo, for many were the progeny of families long established further west, in the Bokkeveld, the Hantam or the Roggeveld.²⁶ Indeed, the notion of a boundary between the northern and eastern frontier zones is largely arbitrary: in the eighteenth century people and animals moved freely between the two regions and the patterns of conflict were similar (but not identical) in both. I have thus derived great benefit from an exchange of views and information with Nigel Penn and I trust that the reader who has access to both his work and mine will gain an appreciation of the forces which shaped social relations right across the eighteenth-century South African frontier.

Again, however, both Penn's work and mine owes much to the stimulus provided by other scholars who, since the 1970s, have re-examined the processes which shaped the South African frontier. Shula Marks was the first to challenge the long-held belief that the pastoralist Khoekhoe were unable to mount effective resistance to the Dutch. Prefiguring Elphick's insistence upon the fluid and overlapping nature of the boundaries between hunters and herders at the Cape, she argued that there was little to distinguish cattleless Khoekhoe from the hunter-robbers (San, or Soaqua) traditionally cast in the role of resisters and that the former (dispossessed Khoekhoe) played as great a part as the latter in the persistent raiding which blocked the northward expansion of the colony.²⁷ Her arguments, together with those of Elphick, who formulated the idea of an 'ecological cycle' linking the lifeways of pastoralists and hunter-gatherers, have been largely responsible for the widespread acceptance of the portmanteau term Khoisan by subsequent students of indigenous responses to the Dutch.²⁸ While I do not disagree with their general thrust, I do believe that the permeability of the boundaries between hunting and herding communities has been exaggerated, to the detriment of the researcher wishing to gain a closer understanding of the motives and behaviour of raiding bands in specific instances. This issue will be raised below.²⁹

Shula Marks' article appeared almost simultaneously with an equally influential paper by Martin Legassick.³⁰ This paper, together with a later

article by Hermann Giliomee,³¹ has substantially altered the way in which frontier relationships are viewed by students and scholars in South African universities. Whereas the frontier had previously been seen as a place of extremes, characterised by racial polarisation and rigid class divisions, Legassick suggested that this description better fits the slaveholding regions of the western Cape, and that the frontier was rather a place of blurred outlines and overlapping categories where enemies and friends were not (or not exclusively) defined by race. These ideas were skilfully elaborated by Giliomee, who incorporated them in his notion of an 'open' and a 'closing' frontier where class and racial categories initially displayed a degree of flexibility, but became more rigid as the settler population increased and Europeans began to achieve political and military hegemony. Both articles are distinguished by the subtlety with which their arguments are presented, and their central theses are inherently plausible, given the thin spread of white settlement and the relatively equal distribution of coercive power between Europeans and their Xhosa neighbours. Indeed, where the Xhosa are concerned, I have no quarrel with their interpretation and I have not engaged with it in the pages that follow. However, in so far as their conclusions apply to the Khoisan, I believe that they stand in need of modification. In particular, I believe that relations between master and servant were more fundamentally antagonistic than either author has allowed and that, amongst the colonists, this antagonism was both reflected in and mediated by an ideology of ethnic exclusivism. These issues will be explored in depth in the chapters which follow. Indeed the whole book can in a sense be read as an extended interrogation of the views of Giliomee and Legassick, and I do not wish to anticipate its argument here.

Finally, among published monographs on Cape history, I should mention a small book which, more than any other, awakened my interest in the turbulent affairs of the eastern frontier. Entitled *Maynier and the first Boer Republic* and written in the 1940s by the eminent liberal historian J. S. Marais, this book meticulously examines the charges levelled against Landdrost H. C. D. Maynier of Graaff Reinet by his rebellious freeburgher subjects.³² Written at a time of rising political tension and openly supportive of Maynier's cause (which Marais interpreted broadly as the maintenance of the rule of law), the book is none the less a work of exemplary scholarship. It gave me my first glimpse of the treasures stored up in the Cape Archives and whetted my appetite for more. It also reminded me that 'committed scholarship' is not incompatible with the highest standards of archival research.

Among the many books on non-South African subjects which have influenced my thinking, I would like to mention only two. These are

Orlando Patterson's *Slavery and social death*,³³ which provided me with the analytical framework around which chapter 7 has been constructed, and Nathan Wachtel's *Vision of the vanquished*,³⁴ which inspired me with its commitment to represent the history of European conquest from the viewpoint of the conquered. Lacking the rich variety of native sources available to historians of early colonial Latin America, it is difficult, as I have already indicated, for the historian of Dutch South Africa to reconstruct the experience of the indigenous inhabitants with the same degree of authenticity, but Wachtel's book, among others, encouraged me to try.